

**Robbins Geller  
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November 26, 2019

VIA ECF

The Honorable Margo K. Brodie  
United States District Court  
for the Eastern District of New York  
225 Cadman Plaza East  
Courtroom 6F  
Brooklyn, NY 11201

Re: *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*,  
No. 1:05-MD-1720 (MKB)(JO)

Dear Judge Brodie:

Rule 23(b)(3) Class Counsel responds here to Your Honor's Order of November 25, 2019.

Class Counsel has discussed with Epiq, the Class Administrator, and with defendants the Court's query regarding whether the Court should "consider both timely and untimely, as well as incomplete, exclusion requests in determining whether to finally approve the Rule 23(b)(3) class settlement, *i.e.*, whether for the purposes of settlement the parties consider all 675 exclusion requests as resulting in exclusion." It is the position of Epiq, Class Counsel and the defendants that all 675 exclusion requests should be considered as resulting in an exclusion.

Respectfully submitted,

*/s/ K. Craig Wildfang*  
K. Craig Wildfang  
Thomas J. Undlin  
**Robins Kaplan LLP**

*/s/ H. Laddie Montague, Jr.*  
H. Laddie Montague, Jr.  
Merrill G. Davidoff  
**Berger Montague PC**

*/s/ Patrick J. Coughlin*  
Patrick J. Coughlin  
Alexandra S. Bernay  
**Robbins Geller Rudman  
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cc: Counsel of Record via ECF